

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested. Currently, claims 1, 3-4, 8-11, 13-14 and 18-20 are pending in this application.

Request to Accept and Enter Drawings:

Applicant filed a new substitute set of formal drawings on September 5, 2003. Applicant respectfully requests that the new substitute set of formal drawings be accepted and entered into the present application.

Request to Acknowledge Claim for Foreign Priority and Receipt of Certified Copy of

Priority Documents:

The present application is a U.S. national phase filing of PCT international application no. PCT/GB99/0020 which claims priority from prior foreign application nos. (EP) 98300126.4 and (GB) 9800374.2. Applicant respectfully requests that the Examiner acknowledge Applicant's claim for foreign priority under 35 U.S.C. §119 and receipt of copies of certified copies of the priority documents. Applicant notes that the Notification of Acceptance of Application under 35 U.S.C. §371 and 37 CFR 1.494 or 1.495 (Form PCT/DO/EO/903) mailed January 23, 2001 from the U.S. Patent Office indicates receipt of the priority documents.

Rejections Under 35 U.S.C. §103:

Claims 1-5, 8 and 10¹ were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Yacenda et al (U.S. '418, hereinafter "Yacenda") in view of Silverman (U.S. '240). Applicant respectfully traverses this rejection.

In order to establish a prima facie case of obviousness, all of the claimed limitations must be taught or suggested by the prior art. Applicant submits that the combination of Yacenda and

¹ Although the first sentence in section 3 of the Office Action does not explicitly indicate that claims 11-15, 18 and 20 were rejected, Applicant has assumed that this is the case in light of further comments provided in the Office Action. Clarification is respectfully requested if this assumption is incorrect.

Silverman fails to teach or suggest all of the claimed limitations. For example, the combination fails to teach or suggest a telephone answering system that associates messages with a particular one of a plurality of customers who use a single telephone number in response to predetermined characteristics for an incoming call which identify the calling customer, as required by independent claims 1 and 11. Similarly, the combination fails to teach or suggest a telephone answering system that is responsive to network signals identifying a calling party to associate a received message during a call to a single telephone number used by a plurality of customers with a particular one of the plurality of customers as required by independent claims 3 and 13. Similar comments apply to claims 4 and 14.

The present invention addresses the problem of several users in a shared telephone number environment having effectively a single voice mail box associated with the single shared telephone number. Thus, incoming calls are not directed to a specific user identified by an individual telephone number (as in Yacenda) but to a single telephone number shared by a number of users.

The present invention thus uses predetermined characteristics of the incoming call (such as calling line identify) to direct calls for some callers to the shared telephone line to the voicemail box and associating the received voice message with a specific one of the multiple sharing users while at the same time also permitting other calls to be switched through to ring the telephone thereby possibly avoiding messages having to be taken by one user for other users but not preventing calls a called party who may be present.

An exemplary embodiment of the invention also has the advantage of providing privacy to each of the multiple users of the shared telephone number in so far as each has effectively got a private voice mailbox without having a single (private) telephone number. The basic operation of the privacy system is described in Applicant's specification, for example, at page 5,

line 13-30 and at page 6, lines 7-13, and the private retrieval facility is described at page 6, line 18 – page 7, line 5.

In Yacenda, each called party (searched party) is identified by a respective identity number (telephone number) so that incoming calls are specifically directed to an individual PBX user. Using the locator system, calls for an individual are directed to a telephone near to where that individual is located unless he/she is in DND mode or is in an environment with multiple other persons. Generally speaking however, apart from entering DND mode (Col. 16, line 56 – Col. 17, line 2), creating a call screening list (Col. 21, line 7 – line 23) and activating the ring when alone feature (Col. 25, lines 40-52) it is the calling (searching) party who has the control of the call destination.

In regard to Yacenda's call screening list, it is the individual telephone extension (called party identifier) which is used to create a call screening list associated with that one party (Col. 21, lines 20-23), such that all calls are directed to the called party's number by calling parties and are screened by calling line identity (or searching party identity) for through connection if permitted or diversion to a voice mail box associated with that individual.

The Office Action (in regard for example to claim 3) apparently alleges that col. 19, lines 45-56 and col. 21, lines 7-19 disclose a telephone answering system which is responsive to network signals identifying the calling party to associate a message received during a same call with a particular one of a plurality of customers. Applicant respectfully disagrees. Col. 19, lines 45-56 describes a computer which provides a message to the calling party (without using calling party identification). Specifically, col. 19, lines 45-47 states "...if computer 20 determines that the called party is unavailable, the computer provides a message to the calling party...(emphasis added)." The computer 20 therefore does not need to know a calling party's identity in order to transmit a message. Consequently, there is no teaching in col. 19, lines 45-56 of using a call line

identity (i.e., network signal identifying the calling party) to associate a message with a particular one of the plurality of customers.

In Yacenda, the PBX (switch) has already identified a terminal point for a single called customer, effectively having identified a single person to whom the call is directed based upon signals received from a calling party identifying a specific person to whom the call is directed. Regardless of where that person is located within the closed environment associated with the PBX, the single person is identified in some way by the calling party. In some cases, this will be the signaling within the PBX when incoming calls may be handled by an operator (col. 5, lines 2-4).

None of these features rely upon calling line identity signals from the network. Yacenda therefore discloses a closed environment and deals with handling calls between users of the PBX, not remote calling customers of a PSTN directing calls to a single destination number (effectively a single telephone instrument) which is shared by a plurality of customers. Each user of the PBX of Yacenda is identifiable by signaling provided by the calling party internally of the PBX.

Col. 21, lines 51-59 in Yacenda makes a reference to using call line identification received from outside the closed environment to determine whether the calling party can be connected to the called party. However, there is no teaching or suggestion of an automatic divert function to a mailbox. In contrast, col. 21, line 67 to col. 22, line 3 of Yacenda states "If the calling party's identity is not in the call screening data table, the calling party is then instructed to select a system function which permits the calling party to leave a message (step 2545)."

Silverman fails to remedy the above described deficiencies of Yacenda. Specifically, Silverman discloses processing an additional feature -- the called party identity. This means that the calling party is adding information to the dialed telephone number to effect a change of

reaction at the called party node. Each party is individually identified by a totality of the number dialed. Silverman thus fails to teach or suggest associating messages with a particular one of a plurality of customers of the destination in response to predetermined characteristics for an incoming call which identify the calling customer. Accordingly, even if Yacenda and Silverman were combined as proposed by the Office Action, the combination would not have taught or suggested all of the claimed limitations.

Claims 6, 7 and 9² were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Yacenda in view of Silverman and further in view of Matthews et al (U.S. '129, hereinafter "Matthews"). The deficiencies of the primary reference (Yacenda) and secondary reference (Silverman) with respect to at least base claims 1 and 11 have already discussed above. The tertiary reference to Matthews does not remedy the above described deficiencies of Yacenda and Silverman. Accordingly, it is thus not believed to be necessary at this time to further explain the deficiencies of the tertiary reference to Matthews.

² While the first sentence of section 4 of the Office Action does not specifically reject claims 16, 17 and 19, Applicant assumes that these claims have been rejected over the combination of Yacenda in view of Silverman and further in view of Matthews et al. Clarification is respectfully requested if this assumption is incorrect.

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Application No. 09/581,614

July 6, 2004

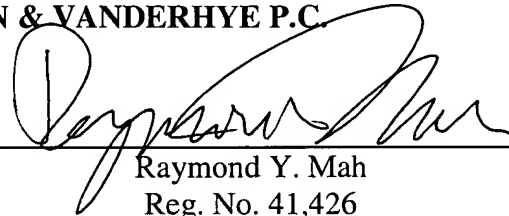
Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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